Application No. 76862 - S

SECONDARY

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY

Date of Filing in State Engineer's Office APR 13 2012

Returned to applicant for correction _____

Corrected Application filed _____ Map filed MAR 27 2008 under 76862

The applicant Sturgeon Electric Company, Inc.

1510 South 4450 West (Street Address or P.O. Box) of Salt Lake City (City or Town)

Utah 84104 (State and ZIP Code) hereby make(s) application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Sturgeon Electric Company, Inc. has been incorporated in the State of Utah in 1987.

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1. The source of the proposed appropriation is Effluent Storage (Permit 76862)
   Name of the stream, lake, underground, spring or other sources.
2. The amount of water applied for is 0.0315 CFS (9.5 AFA)
   One second foot equals 448.83 gallons per minute.
   (a) If stored in a reservoir give the number of acre-feet _____
3. The water is to be used for Construction (Dust Control)
   Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.
4. If use is for:
   (a) Irrigation, state number of acres to be irrigated _____
   (b) Stockwater, state number and kind of animals _____
   (c) Other use (describe fully in No. 12) _____
   (d) Power:
      (1) Horsepower developed _____
      (2) Point of return of water to stream _____

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5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

In the southeast quarter (SE1/4) of the northeast quarter (NE1/4) of Section ~~43~~ 34, T. 18 S., R. 63 E., M.D.B.&M., or at a point from which the east quarter (E1/4) corner of said Section 34, bears S 35°37'39"E at a distance of 653.23 feet. Map filed under Permit Application 76862.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

See Attached

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day) of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with a pump and motor, etc.)

Existing cogeneration plant and outfall pipeline to evaporation pond

9. Estimated cost of works: $0

10. Estimated time required to construct works: Evaporation pond and outfall line are constructed
(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: One year

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The source of water is effluent withdrawn from the waste stream prior to discharge into the evaporation pond for the Nevada Cogeneration Associates, garnet valley cogeneration plant, Clark County. The water will be hauled by truck from the Garnet Valley facility and used as dust control.
Primary Effluent Storage Permit #76862

Lonnie C. Roy, P.E.
Type or print name clearly

lroy@broadbentinc.com
E-mail Address

(702) 563-0600
Phone No.

Signature, applicant or agent

Broadbent and Associates, Inc.
Company Name

8 West Pacific Avenue
Street Address or PO Box

Henderson, Nevada, 89015
City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 07/09 - secondary

Places of Use:

Portions of the NW 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 5. Portions of the NW 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, NW 1/4 NW 1/4, SW 1/4 NW 1/4, and NW 1/4 SW 1/4 of Section 8. Portions of the NW 1/4 NE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, and NE 1/4 SW 1/4 of Section 17. Portions of the SE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, and SW 1/4 SE 1/4 of Section 20. A portions of the SW 1/4 SW 1/4 of Section 21. Portions of the SW 1/4 NW 1/4 and SW 1/4 SW 1/4 of Section 27. Portions of the SE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, NE 1/4 NW 1/4, and NW 1/4 NW 1/4 of Section 28. A portion of the NE 1/4 NE 1/4 of Section 29. Portions of the NE 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 33. Portions of the NW 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 34 all within T. 13 S., R. 63 E., M.D.B.&M.

Portions of the NE 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, and SE 1/4 SE 1/4 of Section 33. Portions of the NW 1/4 SW 1/4 and SW 1/4 SW 1/4 of Section 34 all within T. 13-1/2 S., R. 63 E., M.D.B.&M.

Portions of the NW 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 3. Portions of the NE 1/4 SW 1/4, SE 1/4 SW 1/4, NW 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 10. Portions of the NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, and NW 1/4 NW 1/4 of Section 15. Portions of the NE 1/4 NE 1/4, NW 1/4 NE 1/4, and NE 1/4 NW 1/4 of Section 16. Portions of the SW 1/4 SE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, and SE 1/4 SW 1/4 of Section 22. Sections of the NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, and NE 1/4 NW 1/4 of Section 27. A portion of the SE 1/4 NE 1/4 of Section 33. Portions of the NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, NE 1/4 SW 1/4, SW 1/4 NW 1/4, and NW 1/4 SW 1/4 of Section 34 all within T. 14 S., R. 63 E., M.D.B.&M.

Portions of the NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, and SW 1/4 SE 1/4 of Section 3. Portions of the NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, and SW 1/4 SE 1/4 of Section 10. Portions of the NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, and SW 1/4 SE 1/4 of Section 15. Portions of the NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, NW 1/4 NW 1/4, and SW 1/4 NW 1/4 of Section 22. Portions of the NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 27. Portions of the NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, and NW 1/4 NW 1/4 of Section 34 all within T. 15 S., R. 63 E., M.D.B.&M.

Portions of the NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, and SE 1/4 SW 1/4 of Section 3. Portions of the NE 1/4 SE 1/4, SE 1/4 SE 1/4, SW 1/4 NE 1/4, and NW 1/4 SE 1/4 of Section 9. Portions of the NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, and NW 1/4 SW 1/4 of Section 10. Portions of the SE 1/4 SE 1/4, SW 1/4 SE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 15. Portions of the SE 1/4 NE 1/4, NE 1/4 SE 1/4, SW 1/4 NE 1/4, NE 1/4 NW 1/4, and SE 1/4 NW 1/4 of Section 16. Portions of the NE 1/4 NE 1/4 and NW 1/4 NE 1/4 of Section 22. Portions of the NE 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 NW 1/4, and NW 1/4 NW 1/4 of Section 23. Portions of the NW 1/4 SW 1/4 and SW 1/4 SW 1/4 of Section 25. Portions of the NE 1/4 NE

1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, and SE 1/4 SE 1/4 of Section 26. Portions of the SE 1/4 NE 1/4, NE 1/4 SE 1/4, NW 1/4 SE 1/4, and SW 1/4 SE 1/4 of Section 35. Portions of the NW 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 36 T. 16 S., R. 63 E., M.D.B.&M.

Portions of the NE 1/4 SE 1/4 and SE 1/4 SE 1/4 of Section 11. Portions of the NE 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 12. Portions of the NE 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, and NW 1/4 NW 1/4 of Section 13. Portions of the NE 1/4 NE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, and SW 1/4 SE 1/4 of Section 14. Portions of the NW 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, and SE 1/4 SW 1/4 of Section 23. Portions of the NE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4, NW 1/4 NE 1/4, SW 1/4 SE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, SE 1/4 SW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 24. Portions of the NW 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, NW 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 25. Portions of the NE 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, NE 1/4 NW 1/4, SE 1/4 SW 1/4, NW 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 26. Portions of the NE 1/4 SE 1/4, SE 1/4 SE 1/4, NW 1/4 SE 1/4, and SW 1/4 SE 1/4 of Section 33. Portions of the NE 1/4 NE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, and NW 1/4 SW 1/4 of Section 34. Portions of the NE 1/4 NE 1/4, SE 1/4 NE 1/4, NE 1/4 SE 1/4, SE 1/4 SE 1/4, NW 1/4 NE 1/4, SW 1/4 NE 1/4, NE 1/4 NW 1/4, SE 1/4 NW 1/4, and NW 1/4 NW 1/4 of Section 35. Portions of the NW 1/4 NW 1/4 and SW 1/4 SW 1/4 of Section 36 all within T. 17 S., R. 63 E., M.D.B.&M.

Portions of the SE 1/4 SE 1/4, NW 1/4 SE 1/4, SW 1/4 SE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 NW 1/4, and SW 1/4 NW 1/4 of Section 1. A portion of the NE 1/4 NE 1/4 of Section 12 all within T. 18 S., R. 63 E., M.D.B.&M.

Portions of the NW 1/4 NW 1/4, SW 1/4 NW 1/4, NW 1/4 SW 1/4, and SW 1/4 SW 1/4 of Section 7. A portion of the NW 1/4 NW 1/4 of Section 18. Portions of the NE 1/4 SE 1/4, NW 1/4 SE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 NW 1/4, SW 1/4 NW 1/4, and NW 1/4 SW 1/4 of Section 19. Portions of the NE 1/4 SE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4, and NW 1/4 SW 1/4 of Section 20 all within T. 17 S., R. 64 E., M.D.B.&M.

Portions of the NW 1/4 NW 1/4 and SW 1/4 NW 1/4 of Section 7 all within T. 18 S., R. 64 E., M.D.B.&M.

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GARNET VALLEY

NEVADA COGENERATION ASSOCIATES #1

Genevieve E. Marenco
Executive Director

Via Fax

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April 10, 2012

GV-3563

Bryan Vorwaller
Sturgeon Electric Company
1510 South 4450 West
Salt Lake City, UT 84104

Re: **Garnet Valley Facility Effluent Water Secondary Use Agreement with Sturgeon Electric Company**

Dear Sir:

Upon signature by the Authorized Individuals listed below, this letter shall confirm that Nevada Cogeneration Associates #1, Garnet Valley (NCA1) and Sturgeon Electric Company have entered into an agreement whereby Sturgeon Electric Company shall be authorized by NCA1 to transport an effluent water source for the sole purpose of dust control as outlined by the State of Nevada Secondary Use Permit, as issued to Sturgeon Electric Company, and the NCA1 Zero Discharge (Pond) Permit.

Upon signature by both parties: it shall be understood that NCA1 makes no guarantee (either written or implied) that Sturgeon Electric Company shall have an uninterruptable source of dust control water or unrestricted access to the NCA1 facility; Sturgeon Electric Company shall use properly authorized, insured and marked vehicles for the transportation of water offsite; Sturgeon Electric Company shall provide proof of insurance to NCA1; NCA1 shall provide the pump and loading station for filling a typical water truck/tanker. Any special equipment shall be agreed upon through a separate document.

420 North Nellis Boulevard, #A3-117, Las Vegas, Nevada 89110 702-651-1224 • 702-644-1474 FAX

76862-

If there are any questions, please contact Mr. Chris Kimmich at (702) 651-1217.

Sincerely,

Genevieve E. Marenco
Executive Director

Authorized Signatures

Bryan Vorwaller
Construction Manager
Sturgeon Electric Company

Genevieve E. Marenco
Executive Director
Nevada Cogeneration Associates #1

CJK:car

cc: Howard Forepaugh (w/o Enclosure)
Chris Benkman (w/o Enclosure)

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